

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JUNE 21, 2021, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION, THE OFFICIAL VERSION WILL GOVERN.

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATER RESOURCE MANAGEMENT

DIVISION OF WATER MONITORING AND STANDARDS

Adopted Amendment to the Monmouth and Ocean County Water Quality Management Plans

Public Notice

Take notice that on **May 18, 2021**, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11-1 et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15, the New Jersey Department of Environmental Protection (Department) adopted an amendment to the Monmouth and Ocean County Water Quality Management (WQM) Plans. The amendment, identified as “Eagle Oaks Golf Club Carolina House” (Program Interest No. 435462, Activity No. AMD190002), expands the sewer service area (SSA) of the Ocean County Utilities Authority (OCUA) Northern Water Pollution Control Facility (WPCF) by 1.54 acres to serve a proposed clubhouse and recreational facility on Block 185, Lot 37 in Howell Township, Monmouth County. The proposed project consists of a proposed 11,600 square foot clubhouse building, recreational facility and an existing residential dwelling which will be converted to 8 residential guest suites. As calculated in accordance with N.J.A.C. 7:14A-23.3, the proposed project would generate a projected wastewater flow of 3,204 gallons per day (gpd). The wastewater would be conveyed via the Manasquan River Regional Sewerage Authority (MRRSA) owned and operated infrastructure system within Howell Township to the OCUA Northern WPCF (New Jersey Pollutant Discharge Elimination System Permit# (NJPDES) NJ0028142).

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Preliminary notice was published in the New Jersey Register on December 7, 2020, at 52 N.J.R. 2137(a). No comments were received during the comment period. This notice represents the Department's determination that the amendment is compliant with the applicable regulatory criteria at N.J.A.C. 7:15, as described below.

In accordance with N.J.A.C. 7:15-3.5(g)6, the Department instructed the applicant to request written statement of consents from Howell Township, the Ocean County Utilities Authority, the Manasquan River Regional Sewerage Authority and the Ocean County Board of Chosen Freeholders. The Manasquan River Regional Sewerage Authority adopted Resolution 2020-102 on December 9, 2020, consenting to the proposed amendment. The Ocean County Utilities Authority indicated in a letter dated March 16, 2021, that it would not take a formal position on the proposed amendment. The Ocean County Department of Planning stated in an email dated March 16, 2021, that the County Board of Commissioners declined to take a formal position on the proposed amendment. The Monmouth County Board of County Commissioners, as the Designated WQM Planning Agency, adopted Resolution 2021-0292 on April 22, 2021, approving of the proposed amendment.

In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to proposed alterations to the eligible SSA needed to address a specific project or activity. N.J.A.C. 7:15-3.5(j)2 requires that site specific amendments proposing to add 100 or more acres or generating 20,000 gpd or more of wastewater flow must update the wastewater treatment capacity analysis prepared in accordance with N.J.A.C. 7:15-4.5(b) to include the proposed project or activity. The proposed project involves less than 100 acres and will generate less than 20,000 gpd of wastewater flow; therefore, update of the wastewater treatment capacity analysis is not required.

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Pursuant to N.J.A.C. 7:15-4.4(d), the following are not eligible for delineation as SSAs, except as otherwise provided at N.J.A.C. 7:15-4.4(i), (j), (k), and (l): environmentally sensitive areas (ESAs) identified under N.J.A.C. 7:15-4.4(e) as any contiguous area of 25 acres or larger consisting of any of the following features, alone or in combination: endangered or threatened wildlife species habitat, Natural Heritage Priority Sites, riparian zones of Category One (C1) waters and their tributaries, or wetlands; coastal planning areas identified under N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions under N.J.A.C. 7:15-4.4(g). The Department conducted an evaluation of the project site using a GIS shapefile provided by the applicant compared to the Department's GIS data layers available at <http://www.nj.gov/dep/gis/listall.html> and/or other information as noted below, to determine the presence of any such areas in accordance with N.J.A.C. 7:15-4.4(e), (f) and (g) and made the following findings:

- The Department determined that the SSA does not contain any areas mapped as endangered or threatened wildlife species habitat Rank 3, 4 or 5 on the Department's Landscape Maps of Habitat for Endangered, Threatened or Other Priority Wildlife based on the "Landscape Project Data" Version 3.3 GIS data layers in accordance with N.J.A.C. 7:15-4.4(e)1.
- The Department determined that the SSA does not contain any areas mapped as Natural Heritage Priority Sites based on the "Natural Heritage Priority Sites" GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)2.
- The Department determined that the SSA does not contain any C1 waters or 300-foot riparian zones along any C1 waters or upstream tributaries within the same HUC 14 watershed of any C1 waters based on the "Surface Water Quality Standards" GIS data layer in accordance with and N.J.A.C. 7:13-4.1(c)1 and 7:15-4.4(e)3.

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- The Department determined that the SSA does not contain any wetlands based on the “Wetlands 2012” GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)4.
- The Department determined that the SSA does not contain any areas mapped as Fringe Planning Areas, Rural Planning Areas, or Environmentally Sensitive Planning Areas within the Coastal Area Facility Review Act (CAFRA) zone based on the “CAFRA (polygon)” GIS layer and the “State Plan Data” GIS layer, in accordance with N.J.A.C. 7:15-4.4(f).
- The Department determined that there are no 201 Facilities Plan grant conditions applicable to the project based on the US Environmental Protection Agency list of New Jersey Counties with ESA grant conditions at <https://www.epa.gov/npdes-permits/environmentally-sensitive-area-esa-grant-condition-waiver-program-region-2> in accordance with N.J.A.C. 7:15-4.4(g).

Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department considered the land uses allowed in adopted zoning ordinances, future land uses shown in adopted municipal or county master plans, and other local land use objectives. The Howell Township Planning Board adopted a resolution granting Preliminary and Final Site Plan approval for Application No. SP-1009A on September 5, 2019. The proposed project is consistent with the Monmouth County Master Plan as per a report prepared by the Monmouth County Planning Board.

Sewer service is not guaranteed by adoption of this amendment since it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the sewer service area as a result of approval of this amendment does not eliminate the need to obtain all necessary permits, approvals or certifications required by any Federal, State, county or municipal review agency with jurisdiction over this project/activity.

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5/18/21

Date

SIGNED

Kimberly Cenno, Bureau Chief
Bureau of Environmental Analysis, Restoration and Standards
Division of Water Monitoring and Standards